

City of Saratoga Springs - Planning Commission Meeting
October 27, 2016

Regular Session held at the City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

Minutes

Present:

Commission Members: Kirk Wilkins, Sandra Steele, Hayden Williamson, David Funk, Ken Kilgore, Troy Cunningham

Staff: Kimber Gabryszak, Planning Director; Mark Christensen, City Manager; Sarah Carroll, Senior Planner; Kara Knighton, Planner I; Gordon Miner, City Engineer; Nicolette Fike, Deputy Recorder

Others: Shawn & Kim Barton, Matt & Heidie Kossman, Shauna Freebairn, Dan Reeve, Jim Wheeler, Chad Spencer, Jeff Bennion, Rick Bennion, Patrick Lucero, Dave Webster, Laura Nava, Lorenzo Nava, Blaine Walker

Excused: Brandon MacKay

Call to Order - 6:30 p.m. by Chairman Kirk Wilkins

1. Pledge of Allegiance - led by Matt Kossman

2. Roll Call – Sandra Steele, Kirk Wilkins, Troy Cunningham, Ken Kilgore. A quorum was present.

3. Public Input

Public Input Open by Chairman Kirk Wilkins

No public input was given.

Public Input Closed by Chairman Kirk Wilkins

4. Public Hearing: Site Plan and Preliminary Plat for Deer Meadow Church located generally at 3261 S. Village Parkway, Chad Spencer - EA Architecture, applicant.

Senior Planner Sarah Carroll presented the item. The site plan includes a church building, a pavilion, a storage building, and associated parking and landscaping. The preliminary plat is a one lot subdivision to formally create the lot for the church and dedicate a portion of Village Parkway. They need to add a small screening wall.

Chad Spencer, applicant, was present to answer any questions.

Public Hearing Open by Chairman Kirk Wilkins

No public comments were made.

Public Hearing Closed by Chairman Kirk Wilkins

Commissioner Kilgore was assured by staff that the applicant had no issue with complying with the conditions. He commented about the tree base clearance, it seems to come up a lot and perhaps it's something we need to look at in the code. He asked about checking the bulb set. Senior Planner Sarah Carroll replied they need to check the lumens still, which isn't in this plan set yet, generally their other plans have always complied.

Commissioner Cunningham asked how we would follow up on the can complies. Senior Planner Sarah Carroll noted she and engineering would follow up on those as they submit their plans.

Motion made by Commissioner Steele that Based upon the evidence and explanations received today, I move that the Planning Commission forward a positive recommendation to the City Council for approval of the Deer Meadow Church Site Plan and Preliminary Plat, located at 3261 South

Village Parkway, with the findings and conditions in the staff report. Seconded by Commissioner Cunningham. Aye: Sandra Steele, Kirk Wilkins, Troy Cunningham, Ken Kilgore. Motion passed 4 - 0.

5. Public Hearing: Preliminary Plat for Saratoga Hills 6, located approximately 350 W. Grandview. Dan Reeve, applicant.

City Planner Kara Knighton presented the item. She explained that several proposals for this property have been submitted to the city since 2000. This request is for a 52 lot subdivision in the R-3 zone. The applicant requests that the city take ownership and maintenance of the 4 open space parcels. They propose they stay native, with surface trails. Staff requested additional amenities to meet recreational needs.

Dan Reeve, applicant, emphasized the amount of open space in the development, the amounts of trails are significant. With the additional amenities requested they feel that it is above and beyond. They didn't feel the lookout station was necessary. They feel it is a trail system improvement to connect trails and as a system it makes sense for the City to take that over.

Public Hearing Open by Chairman Kirk Wilkins

Heidi Kossman was concerned about the fire that took all the vegetation and created a natural ravine and that is an issue for flooding. Perhaps the trails could be added behind Grandview court so they don't block the views as much.

Matt Kossman asked about lot 211A, is the existing fence going to be extended and how far. Also if there was going to be an easement between the existing lot lines and the back two properties. He is concerned for access to his backyard.

Shauna Freebairn asked if any of the land was BLM land. She wanted to know what the sensitive land was and will the land remain as is or be developed with flowers and grass. How many acres of open space is there going to be total. A lot of the developments cram in a lot of homes. People move here for the fields and beautiful views and space and hopes we can look forward and protect that unique place.

Jim Wheeler moved here for the view and he talked to the city and was disturbed by the house height limit which he feels should be reconsidered. He also has a lot on the lake and the state owns the property on the shore and they won't remove the growth. He does not like high density but doesn't know how to control that. He would like single level homes only allowed. He paid for the view of the lake, it does enter into property tax value.

Public Hearing Closed by Chairman Kirk Wilkins

Commissioner Wilkins asked staff to discuss if the city could restrict the house height.

Planning Director Kimber Gabryszak responded that the State is very pro-property rights. If an owner wants to develop and they can comply with all the codes in place we are supposed to approve it and apply conditions necessary to minimize impacts. A 35 foot limit allows for a 3 story home, or vaulted roofs. The City code does not regulate single family architecture and does not require any builders to be ramblers or multi-story. Views are not an identified property right under Utah Law because they infringe on the rights of the property owner that is being developed.

City Planner Kara Knighton noted that in this area it is not considered high density as a R3 it is the same zone and lot size in the surrounding neighborhoods. The sensitive lands are anything over a 30% slope. They have 7.71 acres of open space, 2.8 acres is sensitive lands. None of this parcel is owned by the BLM, the property adjacent to this area is not owned by the BLM either. For the west side of lot 211 there is currently a 10ft wide water easement.

Senior Planner Sarah Carroll said they don't have a code requirement for access across other properties.

Dan Reeve commented that these lots would be sold to other owners and that would not allow access across their lots. The fence line would match the new lot lines with gate access for the City to maintain the detention pond. He shared about the density, with the lot size allowed they could have up to 80 homes but they only have 52. He added that the level of trail system, over half a mile, should be considered as an amenity. If more are required they may consider reducing the amount of trails. Other developments don't have this level of connectivity.

City Engineer Gordon Miner commented on the run off channel. The culvert under Glenhill drive would be sized appropriately and the drainage would go to the detention basin sized for a theoretical 100 year rain storm.

Commissioner Wilkins asked if remediation was done for planting vegetation in the area after the burn. City Manager Mark Christensen noted this area was not affected by the burn scar but there was some flooding above after but there will be a storm drain pipe as well as a debris flow. There is land developed on two sides and drainage that would go back into the school area.

Commissioner Steele said she was here when this project came through 4 years ago and it is now so much better than it was. It is compatible with the surrounding neighborhood. She noted the city taking over the park is not under their purview. Generally anything under 5 acres is not permitted because of cost. The amenities are minimal with what the city has asked for. There are none for children and she doesn't think what has been asked for with work out stations is unreasonable.

Commissioner Cunningham echoes the comments about amenities. He doesn't think just a hiking trail is very appealing to kids. He would like to see more. He thinks we need more amenities and doesn't feel he can give a positive recommendation with what is suggested. This is for families and it needs something to include kids.

Commissioner Kilgore asked if the amenities asked for by staff are in the code. Planning Director Kimber Gabryszak replied the Code is that they are required to meet the needs of the residents they are bringing in. We don't have a specific definition. We looked at service in similar areas around the city and identified a basic level of service. Because of the type of community we are not seeing at tot lot or playground, more for the older age groups. Commissioner Kilgore noted several "can comply" conditions. Dan said they are definitely open to complying with the types of trees and landscaping. They can place something in the detention basin break it up.

Commissioner Wilkins was concerned that the tax you receive from new residents is able to support taking over the open space; will the taxes cover the cost of service.

City Manager Mark Christensen advised that you can do rough math as far as economic viability. Theoretically, the higher the density, the higher the revenue. This is a low density neighborhood. It's a question of the quality of the product going in, we assume it's a nice product, is it the right fit. From an economic development standpoint the R3 is not a money maker, it is really more of a fit question now.

Commissioner Wilkins was concerned about the potential flooding and wanted to make sure the plans are sufficient. He asked if water was a concern. City Manager Mark Christensen advised that they do have water and a certain number of connections in the city we have begun work on projects to alleviate problems in the south and a pipeline from Israel canyon down to this pond for secondary issues. There will be a redundant line into Fox Hollow also at that time and a new pump at the Marina with a few thousand gallons a minute to begin which should alleviate the of concerns. He would welcome a recommendation for more amenities amenable to families.

Commissioner Steele commented that knowing it was not going to be a 55 and over community, perhaps there should be some amenities for children. Maybe replace the work out stations with a tot lot. City Manager Mark Christensen noted they do worry about too many pocket parks and something that might

create another maintenance issue. Planning Director Kimber Gabryszak advised the other impacting factor is no manicured space, it's primarily native and trails. You could do nature play features; a tot lot would be difficult but doable. Commissioner Steele would suggest working with staff on that. She thinks one picnic table is adequate if we have the stations for kids.

Motion made by Commissioner Steele to forward a positive recommendation to the City Council for the Saratoga Hills 6 Preliminary Plat, located on parcel 58:041:0066 and as shown in exhibit 2, with the Findings and Conditions in the Staff Report dated October 27, 2016. With the additional condition that the applicant work with staff on amenities and that the recommendation go to City Council that the developer maintain the smaller parks under 5 acres. Seconded by Commissioner Cunningham.

Aye: Sandra Steele, Kirk Wilkins, Troy Cunningham, Ken Kilgore. Motion passed 4 - 0.

6. Public Hearing: General Plan Amendment from Low Density Residential and Neighborhood Commercial to Low and Medium Density Residential and Regional Commercial and a proposed Rezone from A (Agricultural) to R-5, R-6, and RC (Low and Medium Density Residential and Regional) for Harvest Heights, located at 2300 N Redwood Road. Dave Webster/CBC Advisors, applicant.

Senior Planner Sarah Carroll presented the item. The concept plan includes 1.5 acres for commercial development with the remaining property being residential development. The applicant is proposing to divide the residential development between the R-5 and R-6 zones. There are 53 lots that are 8,000 square feet or larger and proposed for single family homes and 28 lots that are 6,375 square feet or larger and proposed for two-family dwellings. The City Council will be discussing in a work session on if the canal should be buried. The canal company prefers it be buried.

Commissioner Williamson joined the meeting at this time.

Dave Webster gave an overview on what had transpired from 2014 to now. The canal company wanted to pipe the canal and relocate it to the west end and pipe it to the se corner. They looked at the cost effectiveness and took the advice to relocate it. They then changed the plat and reached out to the community at a meeting and they got some feedback that they modified in the plan. Neighbors were concerned in the density of the twin homes. They eliminated a whole row (11) of units. He has met with UDOT and they will approve a full intersection with three lanes now. They are looking to improve the acres to the north of the property. They would like to provide a frontage road along there. UDOT is improving 1800 N. and if they improved it they could tie it in. UDOT did grant that to them as well. There would then be two access points one with a full intersection and a full light access to the north also. They felt like this redesign was an improvement to the previous plat.

Public Hearing Open by Chairman Kirk Wilkins

Laura Nava is the president of the Orchard sub-association of the HOA. She doesn't know one resident that would like to change the zoning. These hills will be eaten up by urban sprawl. We need to make it more beautiful. The water is a big issue in this area. Adding all these homes and businesses, do we have enough water; it should be the first question. She is against the canal being covered its part of the beatification of the neighborhood. It is a parking lot along Fall Harvest Drive. She asks that they do not change the zoning. She noted a study on air pollution, concerned that dense homes will put us in the center of that dirty air.

Blaine Walker, one of the property owners, commented that currently the property is in an agriculture zone which is not being used as agriculture. If it gets rezoned it jumps up the tax base which has economic benefits to the city. Burying the canal is a safety issue, a maintenance issue for the canal company and to provide a trail on top of it will add additional green space. If it can not be developed they would have to leave it agriculture and put it back in green belt. They would not like to do that; they would like to move forward and develop. He noted the community meeting they had and that they

took several of those concerns to heart. No one would want to build large expensive homes right along Redwood Road. He thinks it will help with traffic flow. There is still less than 4 units to the acre which is not typically high density.

Email from Amy Fugal, I am definitely opposed to increasing housing for this project! Traffic and overcrowded schools are my main concerns. Thanks for sharing my opinion. I won't be able to make it to the meeting.

Public Hearing Closed by Chairman Kirk Wilkins

Commissioner Funk joined the meeting at this time.

City Manager Mark Christensen commented on the water issues. He said the most prevalent issue in the Orchard neighborhood is in the upper portion; it's on the edge between two zones. With Wildflower going in it will allow them to switch access for better pressure. They understand those issues and new development will help create a zone change in the area. This subdivision is a lower area of the zone; there are some connections and capacities available.

City Engineer Gordon Miner noted the stage of this application now is simply a rezone, early stages. As the further applications come along we study those in depth. If the resources aren't there they have to wait for them to come or provide the resources.

Senior Planner Sarah Carroll commented on burying the canal, if it was buried they would still have the walkway, it would be landscaped and the trail would continue, a 55' wide corridor. She noted they had received complaints about parking along that road and the city has installed limited parking near the accesses.

Commissioner Wilkins commented that the canal is proposed to be moved anyway. On the density it is a legislative decision. City Manager Mark Christensen noted this was originally an application with higher density, it is now better.

Commissioner Kilgore asked about the rezone previously to R4. And why the subdivision was not recorded at that time and why the change from Neighborhood Commercial to Regional Commercial, what kind of applications are they looking for. He noted a Regional Commercial would allow gas stations and that is a concern. He was concerned about density, they were asking for 3.95 per acre. He mentioned that they do often talk about the water concerns at length; right now this application is not at that stage.

Blaine Walker noted the applicant did not move forward with the previous application because of the cost. Then the moving of the canal changed the density. Rick Bennion with the developer noted they had some doctors that wanted to put an office there in a building larger than the Neighborhood Commercial allowed.

Commissioner Cunningham mentioned they got approvals from UDOT and how do we know what those would be. Dave Webster replied when they apply for the plat they have to get written permission from UDOT. City Manager Mark Christensen noted that it is something we can look at as well. It's a spacing issue as to where they can place lights. City Engineer Gordon Miner noted the Transportation Plan that came before them last time showed where the plans for lights were.

Commissioner Williamson is in favor of a rezone for them but not in favor of this rezone. He has some concern about the additional units and does not like the change from Neighborhood Commercial to Regional Commercial.

Commissioner Steele noted that two years ago she was reluctant to approve but gave in. she can not support Regional Commercial. A service station that could be there would be a problem. We have to protect the neighborhoods. It's very clear in the City Code that the power lines need to be underground. As

far as the canal, she would hope that someone would have gone to the canal company to find out what they wanted. (Applicants noted the canal company had changed their mind). As far as the units along Redwood Road they mentioned the noise, maybe it would benefit them to do a sound study to see if we need sound mitigation. That goes for any housing development that goes there because sound travels up. She would stay with what was given in 2014 and nothing more, this is too high of density.

Commissioner Funk commented that higher density is not necessarily what they are looking for, especially in this neighborhood. If we did give them a rezone, once we did that we would be bound by that. It was rezoned once already. He is not opposed to progress but to changes that would negatively affect neighborhoods.

Commissioner Wilkins would hope they could find a plan that could work for them and with the current residents. The whole city has said they don't like high density. If he votes for a higher density he feels he would be ignoring the residents. He thanked them for working with the City and the Canal Company.

Commissioner Kilgore clarified that it was approved for R4 previously but it was not recorded so it was not rezoned yet. Senior Planner Sarah Carroll said the R4 was approved and it can still stand with a plat approval.

Rick Bennion mentioned in regards to the commercial zoning the reason they wanted to change that zone was to meet the needs of the doctor's office. Regarding high density, the area leans to more commercial. They were trying to proceed with the previous plat but it didn't work. They then went to the community and listened to ideas and comments. He noted that across the street they are putting in higher density than this. The sound walls don't really work. No one is going to want to put a large home right along Redwood Road. The open space is bigger than the previous plan as well.

In response to question from Commissioner Wilkins about the open canal Senior Planner Sarah Carroll noted the City is discussing a policy on open water ways, the City Council is discussing that in a work session in the near future. The code doesn't address open waterways right now.

City Manager Mark Christensen noted the canal issue is challenging , when certain conditions change along the canal the Canal Company tries to put more things on us like trail maintenance. It's very burdensome for us to take care of those trials. It includes liability on our part which transfers onto the residents.

Motion made by Commissioner Steele to forward a Negative recommendation to the City Council for the proposed General Plan Amendment and Rezone for ~27.66 acres located at ~2300 North Redwood Road, based on the findings in the staff report. Seconded by Commissioner Williamson. Aye: Sandra Steele, David Funk, Kirk Wilkins, Hayden Williamson, Troy Cunningham, Ken Kilgore. Motion passed 6 - 0.

A short break was taken at this time.

7. Public Hearing: Code Amendments, Entire Title 19 including Definitions, Zones & Setbacks, Design Standards, Open Space, Mixed Waterfront, Landscaping, Signs, and multiple clean-ups. – Presented by Planning Staff.

Planning Director Kimber Gabryszak gave summary of the changes. She reviewed changes in some of the sections and highlighted changes made since the recent City Council work session.

19.01 and 19.03 – Clean ups for consistency, clarified multi-family and non-residential building permits.

Commissioner Steele feels the planning department should do an overview of the building permits.

City Manager Mark Christensen said last month they did almost 150 building permits. It's a full time job just to go through those plans. That would overload the planners. Senior Planner Sarah Carroll commented that we know they are getting done. If there are concerns they can look at specific situations.

19.02- added definitions.

19.04. Land Use Zones - Reformat entire chapter – Reformat, Development Standards, Setback changes, Footprint Development, Open Space move to 19.19. Added minimum lot sizes, modified open space to park space. Proposed new Community Commercial zone, and increased minimum lot size in mixed use.

19.06. Landscaping and Fencing - Remove City Council exception language, remove minimum turf requirements, add minimum live vegetation coverage.

19.09. Parking - Exempt single rows of parking at edges of lots with trees, require connectivity, remove through rows, and clarify land use authority. Canopy width defined. Loading and unloading

Commissioner Williamson asked if there was a more efficient way to determine parking. He asked if we are trying to hit a minimum.

Planning Director Kimber Gabryszak responded that they have looked at other cities, many are moving to a maximum allowed. It becomes more difficult for restaurants. We have reduced parking in a lot of sections and there is a ceiling to help minimize over parking. It does depend on use. We are typically higher than minimum. We reduced many requirements except for restaurants and medical offices. Really it's the big box uses that have the worst impact. The new Smiths required 4.6 a little higher than our code.

19.12. Subdivisions - Require data tables on the plats.

19.13. Process - Add concept plans accompanying rezones to the process table.

19.14. Site plans - Clarify requirement for vehicular and pedestrian connections.

Commissioner Wilkins asked about burying the utility lines. Planning Director Kimber Gabryszak advised that once it reaches the 46kV level it really shouldn't be buried.

19.16. Design Standards (New Chapter) - Create standards for multifamily developments, Reorganize the current design standards for clarity, Assemble all other design standards from other sections in one place, Add new standards for Mixed Use and Mixed Waterfront developments, Add new standards for developments in the Buffer Overlay areas. Prohibited materials

Commissioner Steele noted that in off-street loading spaces if it's before hours it's not a problem but if deliveries are coming in during business hours like a coke truck that is a problem. They discussed changing it to say avoid undue interference with public use of streets, alleys, required parking stalls, or accessible stalls.

19.18. Signs – Add provision for real estate signs and similar.

19.19. Open Space (New Chapter) – New program, park space vs. percentage, Require minimum amenities in open space per a points system, interior amenities for stacked and mixed buildings.

Planning Director Kimber Gabryszak took time to demonstrate a proposed equivalent acres calculator developers could use.

Commissioner Steele commented on allowing native landscaping, for people who have put in nice sod and try to maintain it, it suddenly becomes weeds because the native landscaping is growing where it's not supposed to. Planning Director Kimber Gabryszak noted they have only allowed that in backyards with a solid fence with native landscaping it's not usually just left alone it is usually kept up a little.

19.25. Lakeshore Trail - Addition of Buffer Overlay requirements.

Public Hearing Open by Chairman Kirk Wilkins

There was no public comment given.

Public Hearing Closed by Chairman Kirk Wilkins

Motion made by Commissioner Cunningham Based upon the evidence and explanations received today, I move to forward a positive recommendation to the City Council for the proposed amendments to Sections 19.01, 19.02, 19.03, 19.04, 19.06, 19.09, 19.12, 19.13, 19.14, 19.16, 19.18, 19.19, 19.25, and 19.26 with the Findings and Conditions in the staff report dated October 27, 2016. Seconded by Commissioner Williamson.

Commissioner Williamson asked about mentioning changes in the motion

Commissioner Cunningham amended the motion to include: With changes presented to the planning commission and made in the packet.

Aye: Sandra Steele, David Funk, Kirk Wilkins, Hayden Williamson, Troy Cunningham, Ken Kilgore. Motion passed 6 - 0.

8. Approval of Minutes:

a. October 13, 2016

Motion made by Commissioner Williamson to approve the minutes of October 13, 2016. Seconded by Commissioner Kilgore. Aye: David Funk, Kirk Wilkins, Hayden Williamson, Troy Cunningham, Ken Kilgore. Abstain: Sandra Steele, Motion passed 5- 0.

9. Reports of Action. – No reports of Action.

10. Commission Comments. –

Commissioner Steele noted elections signs put up in the right-of-ways that needed removed.

11. Director's Report:

a. Council Actions

b. Applications and Approval – memo included in the packet

c. Upcoming Agendas – IHC Amendment

d. Other - working on end of year report for Council. We are maintaining about the same work load with the changes in approvals process.

12. Motion to enter into closed session. – No Closed Session.

13. Meeting Adjourned without objection at 9:45 p.m. by Chairman Kirk Wilkins

10 Nov 2016
Date of Approval

M. H. Lib
City Recorder



[Signature]
Planning Commission Chair
Kirk Wilkins